

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

ANDREW FIELDS, III,)	
Plaintiff,)	Civil Action Nos. 7:22-cv-00021
)	
v.)	
)	
FEDERAL BUREAU OF PRISONS, <i>et al.</i> ,)	By: Joel C. Hoppe
Defendants.)	United States Magistrate Judge

ORDER

Plaintiff Andrew Fields, III, a federal inmate proceeding *pro se*, filed this civil rights action against more than twenty-five defendants. (*See generally* Dkt. No. 1.) The case was conditionally filed, and Fields was directed to submit certain information—a statement of assets, a prisoner trust account report, and six months’ worth of account statements for his prison trust account—to complete his request to proceed *in forma pauperis*. (Dkt. No. 2.)

Fields returned the statement of assets, and he returned a form with account statements for some of the required months, but he did not provide account statements for the months of July through September 2021, as required. Another order was entered directing that he provide that information. (Dkt. No. 4.) He then filed a motion explaining that he was housed at a different facility during those months and his current facility could not provide the documents. (Dkt. No. 5.) The court gave him an additional forty-five days to obtain the information from the prior facility or facilities where he was housed, and warned him that his failure to do so could result in the dismissal of this action without prejudice. (Dkt. No. 6.)

That deadline for responding has passed, and Fields still has not submitted the account information for July, August, or September 2021. Instead, he has sent a letter to the court in which he explains that he sent the form and a letter to his previous place of incarceration on

March 22, 2022, but had not yet received a response. The court construes his letter (Dkt. No. 7) as a motion for extension, and it is GRANTED. Fields will be given thirty days from the date of this order to obtain the account statements and submit them to this court.

Additionally, the court DIRECTS the trust officer at USP Canaan to complete and return to Fields within ten days of his request the enclosed trust account form, completed and signed, and to attach three months of trust account statements (from July through September 2021). The trust officer also shall treat this Order as an instruction to provide Fields with additional photocopying service loans to the extent necessary to provide certified copies of the requested trust account statements.

Fields shall then return the completed inmate account form and statements to the court within thirty days after entry of this order. FAILURE OF THE PLAINTIFF TO SUBMIT THE REQUESTED INFORMATION WITHIN THIRTY (30) DAYS MAY RESULT IN DISMISSAL OF THIS ACTION WITHOUT PREJUDICE. No additional extensions will be granted absent a showing of good cause.

The Clerk is DIRECTED to provide two copies of this order to Fields (so that he can send one to the Trust Officer at USP Canaan) and to provide him with another copy of the Prisoner Trust Account Report (docketed as Dkt. No. 4, at page 5).

It is so ORDERED.

ENTER: April 19, 2022

/s/ Joel C. Hoppe
United States Magistrate Judge

PRISONER TRUST ACCOUNT REPORT

Case No. 7:22cv00021

Plaintiff: ANDREW FIELDS, III v. Defendant(s): FEDERAL BUREAU OF PRISONS, et al

THIS FORM IS FOR THE TRUST OFFICER TO FILL OUT AND RETURN TO INMATE TO SEND BACK TO THE COURT - *MAKE SURE SIX-MONTH STATEMENTS ARE INCLUDED* FROM: Clerk, United States District Court for the Western District of Virginia

INMATE NAME AND INMATE NO. ANDREW FIELDS, III, #04595-033

Under the Prison Litigation Reform Act, a prisoner filing a civil action must obtain from the trust officer of each institution in which the prisoner was confined during the preceding six-months a certified copy of the prisoner's trust account statement for the six-months prior to the filing of the civil action. Accordingly, the trust officer is requested to complete this form, attach supporting ledger/statements, *and return these documents to the prisoner within 10 days.

Was the inmate incarcerated anywhere else besides this facility in the last six months? _____ Yes _____ No

If yes, which facility? _____

If yes, state month(s) and year(s) the inmate was incarcerated at that other facility.

_____ Month(s) _____ Year(s)

DATE THIS ACTION WAS FILED WITH THE COURT: _____

(Example- If this case was filed in January- The court needs six-month statements for July – December)

Total Deposits for six-months prior to filing this actionAccount Balance on last day of month for six-months prior to filing this action

Month	Amount	Month	Amount
<u>JULY</u>	_____	<u>JULY</u>	_____
<u>AUGUST</u>	_____	<u>AUGUST</u>	_____
<u>SEPTEMBER</u>	_____	<u>SEPTEMBER</u>	_____

We received the months of October through December but you are required to submit six months prior to the filing of the complaint, therefore we need the months July through September from where you were housed signed by the Trust Officer of that facility. Don't forget the statements to go with the signed form.

\$ _____
AVERAGE MONTHLY DEPOSITS

\$ _____
AVERAGE MONTHLY BALANCE

I certify that the above information accurately states the deposits and balances in the prisoner's trust account for the period shown and that the attached six-month statements are true copies of account records maintained in the ordinary course of business.

TRUST OFFICER SIGNATURE _____ DATE: _____

***In the event the prisoner has insufficient funds in his/her prisoner trust account to pay for copies of the required six-month statements, the facility shall provide the prisoner additional photocopying service loans.**